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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,804	04/03/2000	Rachel K.E. Bellamy	Y0R000122US1(8728-370)	4844

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EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 02/09/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/541,804	BELLAMY ET AL.	
	Examiner	Art Unit	
	Adnan M Mirza	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-32 rejected under 35 U.S.C. 103(a) as being unpatentable over Rosin et al (U.S. 6,295,057) and further in view of Williams et al (U.S. 5,945,988).

As per claims 1, 29 Rosin disclosed a method of user-defined structured interaction online, comprising the steps of: defining social interaction genre for live computer-mediated communication between two or more people (col. 9, lines 33-45); creating an operational instance of the genre (col. 7, lines 1-33), said instance being initialized to a predetermined state; monitoring input from online users operatively connected to said instance; and broadcasting the updated state to all online users operatively connected to the instance (col. 13, lines 59-67). Rosin failed to disclose updating a state of the instance and responding to user's requests if said input satisfies a criteria set by the instance's interaction rules.

In the same field of endeavor Williams disclosed the user elects to forego recording any of the program suggestions made in step 410, system controller simply continues to monitor and update user preferences (col. 11, lines 58-61).

It would have been obvious to one having ordinary skill in the art the time the invention was made to have incorporated updating a state of the instance and responding to user's requests if said input satisfies a criteria set by the instance's interaction rules as taught by Williams in the method of Rosin to allow updating in order to dynamically configuring the system according to the updated preferences.

3. As per claim 2 Rosin-Williams disclosed wherein the step of defining social interaction genre includes one of copying and modifying a previously defined interaction genre (Williams, col. 15, lines 21-26).

4. As per claim 3 Rosin-Williams disclosed wherein the step of defining social interaction genre includes specifying rules of a graphic representation of the genre, including rules specifying how interactions are represented (Rosin, col. 13, lines 59-67).

5. As per claim 4 Rosin-Williams disclosed wherein the graphic representation includes specified symbols representing respective users' roles (col. 14, lines 7-15).

6. As per claim 5 Rosin-Williams disclosed wherein the graphic representation include specified distances from references to proportionally represent action or non-action of users (Rosin, col. 7, lines 9-18).

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7. As per claim 6 Rosin-Williams disclosed wherein the graphic representation includes specified positions representing status of respective users (Rosin, col. 16, lines 12-28).

8. As per claim 7 Rosin-Williams disclosed wherein said step of creating an operation instance of a genre includes setting genre parameters (Rosin, col. 13, lines 58-67).

9. As per claim 8 Rosin-Williams disclosed wherein said genre parameters include genre roles (Rosin, col. 13, lines 58-67).

10. As per claim 9 Rosin-Williams disclosed wherein said genre parameters include rule parameters (Rosin, col. 13, lines 58-67).

11. As per claim 10 Rosin-Williams disclosed wherein said input includes one of text messages, audio clips and video clips (Rosin, col. 16, lines 12-28).

12. As per claims 11,23,28 Rosin-Williams disclosed wherein said input includes the user's change in roles by dragging and dropping of graphics elements of the graphic representation of the state of the instance (Williams, col. 13, lines 55-66).

13. As per claim 12 Rosin-Williams disclosed wherein said user's requests include requesting to ask a question (Williams, col. 10, lines 19-23).

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14. As per claim 13 Rosin-Williams disclosed wherein said user's requests include a request for a clarification (Williams, col. 7, lines 52-62).

15. As per claim 14 Rosin-Williams disclosed wherein said step of monitoring includes monitoring the passage of time between inputs by a user (Williams, col. 8, lines 49-55).

16. As per claim 16 Rosin-Williams disclosed wherein said step of updating the state of the instance and executing specified actions in response to enforcement rules includes sending the rule violator a message (Williams, col. 11, lines 31-45).

17. As per claim 17 Rosin-Williams disclosed wherein said step of updating the state of the instance and executing specified actions in response to enforcement rules includes disconnecting a user violating said rules from the current instance (Williams, col. 11, lines 31-45).

18. As per claim 18 Rosin-Williams disclosed wherein said step of updating the state of the instance and executing specified actions in response to enforcement rules includes barring a user violating said rules from future connections for a specified period of time (Williams, col. 11, lines 31-45).

19. As per claims 19, 24, 31-32 Rosin-Williams disclosed wherein said step of updating the state of the instance and executing specified actions in response to enforcement rules includes

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modifying an iconic representation of a user violating said rules in a graphic representation of the genre instance (Williams, col. 15, lines 26-40).

20. As per claim 20 Rosin-Williams disclosed wherein said step of updating the state of the instance in response to interaction rules includes changing the genre of the instance (Williams, col. 9, lines 31-42).

21. As per claim 21 Rosin-Williams disclosed wherein the graphic representation of the instance is changed in response to the changing of its genre (Williams, col. 9, lines 31-42).

22. As per claim 22 Rosin-Williams disclosed wherein said step of updating the state of the instance includes changing one or more genre parameters including genre roles (Williams, col. 9, lines 31-42).

23. As per claims 25-27 Rosin-Williams disclosed wherein said step of broadcasting the updated state of the instance includes broadcasting the instance's genre rules (Rosin, col. 13, lines 59-67).

24. As per claim 30 Rosin-Williams disclosed wherein said clearance signal is given based on data on users stored in the user database (Williams, col. 11, lines 1-18).

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25. As per claim 15 Williams-Rosin disclosed defining a social genre for computer-mediated communication between two or more people, wherein said computer-mediated communication includes at least one of (a) an interactive lecture between one or more lecturers and one or more spectators (Rosin, col. 3, lines 40-45), 9b) a debate between two or more debaters, (c) an interactive lecture between one or more office visitors, and (d) an interactive courtroom communication between two or more people; creating an operational instance of the genre, said instance being initialized to a predetermined state (Rosin, col. 11, lines 39-46); monitoring input from online users operatively connected to said instance; updating a state of the instance and executing specified actions in response to enforcement rules (Williams, col. 11, lines 58-61); and broadcasting the updated state to all online users operatively connected to the instance (Williams, col. 12, lines 52-64).

As to applicant's argument as follows:

26. Applicant argued that prior art did not disclosed "social interaction genre and social interactive session" that includes at least a structured interaction between/among humans that takes place via networked services.

As to applicant's argument Rosin disclosed "The user may desire to switch quickly between Internet content and television programming. An overlying menu of channels may be activated at any time on the screen to provide a single uniform interface to navigate among Internet sites and television stations (col. 9, lines 32-38). Also in one embodiment of the system, a specific

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dedicated menu for each situation, such as browsing, sending email, reading email, or retrieving email, is made available to the user (col. 12, lines 40-43). One ordinary skill in the art at the time of the invention can relate “social interactive sessions and social interactive genre” as having emailing and switching between the interactive channels.

Conclusion

27. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

26. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-7239.

28. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

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(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label

“PROPOSED” or “DRAFT”);

(703)-746-7239 (For Official Communications Intended for entry, please mark “EXPEDITED
PROCEDURE”),

(703)-746-7238 (For After Final Communications).

29. Any Inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,
2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER